

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54544 of 2016

Arising Out of PS.Case No. -136 Year- 2016 Thana -PUPRI District- SITAMARHI

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Deep Lal Sahni @ Burhba Sahni Son of Jagdhish Sahni, Resident of
Village- Madaripur, P.S.- Meenapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate

For the Opposite Party : Mr. Asharaf Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
(Sitamarhi) Pupri P.S Case No. 136 of 2016 registered for the
offences punishable under Section 399, 402, 414 of the Indian
Penal Code and Section 25(1-b)a/26/35 of the Arms Act and
Section 3/4 of Explosive Substance Act and 47(A) of Bihar Excise
Act.

Allegedly, from possession of the petitioner one
country made pistol with one cartridge and mobile were recovered
and the petitioner has got criminal antecedent also.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner, he
has been made victim of the circumstances, he is suffering in
custody since 07.07.2016. Other co-accused Heera Sahni @ Netaji has
been allowed bail vide order dated 14.12.2016 passed in Cr. Misc.



48823 of 2016 and, as such, petitioner also deserves sympathetic consideration.

Learned A.P.P. submits that Heera Sahni @ Netaji was having no criminal antecedent whereas the petitioner has got criminal antecedent.

In the facts and circumstances stated above, **the petitioner shall be released on bail after completion of six (06) months in custody from the date of remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with (Sitamarhi) Pupri P.S. Case No. 136 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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